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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/826,015	04/05/2001	Petter Ericson	3782-0102P	3839

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EXAMINER

PATEL, NITIN

ART UNIT PAPER NUMBER

2673

DATE MAILED: 10/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/826,015

Applicant(s)

ERICSON ET AL.

Examiner

Nitin Patel

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 and 18 is/are rejected.
- 7) ☒ Claim(s) 2-17 and 19-34 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1,18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sklarew (U.S. Patent No. 5,157,737) in view of Dymetman (U.S. Patent No. 6,330,976).

As per claims 1,18 Sklarew shows a method for generating an association with regard to information which is arranged in at least one support provided with a position coding pattern, by means of a hand held device (portable keyboard) arranged to sense a position coding pattern, characterized by passing the handheld device over the support for sensing the position coding pattern (In fig.11d- 11F); sensing when the handheld device passes over a discontinuity (In fig.11f and 11h) in the position coding pattern; interpreting the discontinuity in the absolute position coding pattern; interpreting the discontinuity as an association regarding the information present on the support(In fig.10).

Sklarew does not show an absolute position input device for coding absolute position.

Dymetman shows an absolute position input device (In fig.6a, 6b).

It would have been obvious to one of ordinary skill in the art, at the time of the invention was made to have incorporated the teaching of Dymetman's into input device

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of Sklarew's because it would have an advantage to provide an automatic action appropriate to a physical object or a data as a hardcopy in a no disruptive streamlined manner.

Allowable Subject Matter

3. Claims 2-17, 19-34 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to teach or suggest a first area in which the absolute position coding pattern codes continuous first coordinates and that information is provided on the first area and is connected to the first coordinates and in that the support comprises a second area provided with an absolute position coding pattern which codes second coordinates which are discontinuous with the first coordinates; passing the handheld device in a single movement from one area to the other area, for sensing the discontinuity as claimed in claims 2,19.

Response to Arguments

4. In personal interview with Applicant's Attorney, examiner and primary examiner Chan Ngyuen, Primary Examiner has requested to incorporate claim 2 and 19 in independent form in claims 1 and 18 respectively. So application is in allowable matter.

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nitin Patel whose telephone number is 571-272-7677. The examiner can normally be reached on 8:00-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin H. Shalwala can be reached on 571-272-7681. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

NP



October 1, 2005